

MACOMB TOWNSHIP PLANNING COMMISSION
MINUTES MEETING AND PUBLIC HEARING
HELD TUESDAY, AUGUST 17, 2004

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
MEMBERS: DEAN AUSILIO
ROGER KRZEMINSKI
KENNETH MEERSCHAERT, SR.
JOA PENZIEN
ARNOLD THOEL

ABSENT: NONE

ALSO PRESENT: Larry Dloski, Township Attorney
Jerome R. Schmeiser, Community Planning Consultant
(Additional attendance on file with Clerk)

Call Meeting to Order

Chairman GALLAGHER called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

1. Roll Call.

Clerk KOEHS called the Roll. All members present.

2. Approval of Agenda Items. (*With any corrections*)

MOTION by AUSILIO seconded by PENZIEN to approve the agenda as presented.

MOTION carried.

3. Approval of the August 2, 2004 previous meeting minutes.

MOTION by KRZEMINSKI seconded by THOEL to approve the August 2, 2004 previous meeting minutes as submitted.

MOTION carried.

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4. Consent Agenda Item:

- a. Approval of Technical Change for Site Plan; Buddy's Restaurant-Pizzeria in the Romeo Plank Plaza; Located on the north side of Hall Road west of Romeo Plank Road; RPP Associates, Petitioner. Permanent Parcel No. 08-32-476-012.

MOTION by KRZEMINSKI seconded by AUSILIO to approve the consent agenda item as submitted.

MOTION carried.

PUBLIC HEARING:

5. Proposed Amendments to the Macomb Township Master Thoroughfare Plan; Eliminate the proposed extension of Plum Grove Road; Section 32; Macomb Township Planning Commission, Petitioner.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the proposed amendments to the Township Master Thoroughfare Plan as to the elimination of the proposed extension of Plum Grove Road.

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Proposed Amendments to the Macomb Township Master Thoroughfare Plan; Eliminate the proposed extension of Plum Grove Road; Section 32. This motion is based on the Planning Consultants recommendations as follows:

It is recommended that the Master Thoroughfare Plan be amended to eliminate the extension of Plum Grove Road out to Hall Road. In order to implement the Master Thoroughfare Plan it would be necessary for the RCMC to condemn subject property. As noted above the parcel where the proposed extension would cross to reach Hall Road has been approved for office buildings. The property owner of said parcel and the residents of the Plum Grove Subdivision objected to the extension of Plum Grove.

MOTION carried.

AGENDA ITEMS:

6. Tentative Preliminary Plat; Pine Valley Subdivision (49 lots); Located on the east side of Luchtman Road approximately ¼ mile south of 26 Mile Road; Northern Macomb Development, Petitioner. Permanent Parcel No. 08-04-100-018 (*Tbld from the July 20, 2004 PC Meeting*)

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Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Mr. Joseph Locricchio

Public Portion: None

MOTION by KRZEMINSKI seconded by THOEL to forward the recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; Pine Valley Subdivision (49 lots) Permanent Parcel No. 08-04-100-018. This motion is based on the Planning Consultants recommendations as follows:

- 1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations;**
 - a. Macomb County Road Commission**
 - b. Office of Public Works Commission of Macomb County**
 - c. Macomb County Health Department**
 - d. Macomb County Planning Commission**
 - e. Michigan Department of Environmental Quality**
 - f. All public utility companies affected.**
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.**
- 2. The Township Engineer approves all engineering plans for the computed plat.**
- 3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**
- 4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been met.**
- 5. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.**
- 6. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the**

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lower amendment on the flood plain map prior to the issuance of any building permits.

- 7. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.**
- 8. That a bond in an amount determined by the estimates prepared by a registered landscape architect and approved by the Township Consulting Engineer be posted assuring the development of the "landscape easement." The "landscape easement" is that area to be labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping." The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.**
- 9. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.**
- 10. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after the final preliminary plat approval by the Township Board.**
- 11. That the petitioner submits 2 copies of the restrictive covenants that will be recorded with the plat. The Restrictive Covenants must include an article to provide for the perpetual maintenance of all limited common areas that may include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.**
- 12. That the plat show the sidewalks at the "T" intersections.**

If a 'phasing plan' has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.

MOTION carried.

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7. Site Plan; Fountains of Macomb; Located on the northeast corner of 21 Mile Road and Hayes Road (excluding the immediate corner); Rogvoy Architects, Petitioner. Permanent Parcel No. 08-30-354-022 (*Tbld from the August 2, 2004 PC Meeting*)

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Larry Scott, petitioner's attorney along with Nick and Joe Tartaglia

The Board held further discussion reviewing the proposed plans.

Public Portion: Several adjacent property owners addressed their concerns regarding the development time frame, entrance lane locations, signage locations, landscape easement concerns and fence removal procedures involving adjacent residential properties.

MOTION by THOEL seconded by MEERSCHAERT to accept the recommendations of the Township Planning Consultants and approve the Site Plan; Fountains of Macomb; Parcel No. 08-30-354-022. Contingent on the following amendments to the Planning Consultants Standard conditions/recommendations as follows: The word "conceptual" be removed from the site plan and landscape plan as the Planning Commission is considering the plan submitted as final. Adding that the site plan and landscape plan be revised to indicate sodding rather than seeding. Also, that the area planned as future building be leveled and sodded until such time as the building is approved. This motion is based on the Planning Consultants recommendations as follows:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street is permitted.

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4. The curb radii, curb cuts, including their location, deceleration lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in the amount of approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from the date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two-year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be writing and accompanied by 2 copies of the "As Built Plans." The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.
10. That handicapped parking be provided per the requirements of the State and the ADA (American Disabilities Act).
11. That the signs be designated on the site plan and meet the Township Ordinances.
12. That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.
13. MDEQ – That specific conditions and approval regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall

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- seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.
14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The “hung” type wall, that is with panels hung or channeled pillars, shall not be allowed.
 15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain Office.
 16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor’s Office.
 17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
 18. That in the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so no to be visible from off the site.
 19. That in the case of commercial zones that outdoor storage and display or merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
 20. That all requirements of the Zoning Ordinance be met.
 21. Since the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
 22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.

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23. That the site plan include site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
24. That the site plan and landscape plan be revised to indicate sodding rather than seeding. Also, that the area planned as future building be leveled and sodded until such time as the building is approved.
25. That all plans including site plan and landscape plan indicate the same size of proposed buildings.
26. That the future retail building be submitted for revised site plan review prior to its construction.
27. The word "conceptual" be removed from the site plan and landscape plan as the Planning Commission is considering the plan submitted as final.

The next step in the approval process is to submit 12 revised drawings addressing items 24 and 27 and to post the site plan bond so that the Planning Commission may forward the plans to the Building Department for the issuance of necessary permits.

A site plan approval shall be valid for one year after the date of approval. If a valid building permit has not been obtained and construction started within one (1) year from the Planning Commission approval of August 17, 2004, the approval becomes null and void unless renewed or extended by a specific Planning Commission action. If approval is not extended before August 17, 2005, then a new application and a new approval shall be required before a building permit may be issued.

MOTION carried.

8. Ground Sign; Fountains of Macomb; Located on the northeast corner of 21 Mile Road and Hayes Road (excluding the immediate corner); Rogvov Architects, Petitioner. Permanent Parcel No. 08-30-354-022 (*Tbld from the August 2, 2004 PC Meeting*)

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval. Further discussing the location of the site signs one located 10 feet north of the side entrance and the second sign located 15 feet set back from the right-of-way along Hayes Road. Each sign will not exceed 32 square feet.

Petitioner Present: Larry Scott, petitioners attorney along with Nick and Joe Tartaglia

Public Portion: None

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MOTION by AUSILIO seconded by PENZIEN to approve the petitioners request for two Ground Signs; Fountains of Macomb; pursuant to the recommendations of the Planning Consultants. Permanent Parcel No. 08-30-354-022. This motion is based on the Planning Consultants recommendations as follows:

That the signs be designated on the site plan and meet the Township Ordinances

MOTION carried.

9. Land Division Variance; Bellagio Subdivision (264 lots); Located south of 26 Mile and east of Romeo Plank Road. Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Frank Mancini

Public Portion: None

MOTION by KOEHS seconded by AUSILIO to forward the recommendation to the Township Board of Trustees to approve the Land Division Variance relating to Section 17-140(12)(13); Bellagio Subdivision (264 lots); Permanent Parcel No. 08-06-200-046. This motion is based on the Planning Consultants recommendations as follows:

That a variance to the Land Division Ordinance relating to Section 17-140(12)(13) be granted allowing for the retention of a valuable natural asset which enhances the value of adjoining lots within the proposed subdivision. The variance should be conditioned on the following:

- **The Township Engineer must approve review and approve all necessary details required for construction of the 8 foot pathway and pedestrian bridge abutting the landscape easement west of lot no. 146.**

MOTION carried.

10. Final Preliminary Plat; Bellagio Subdivision (264 lots); Located south of 26 Mile Road and east of Romeo Plank Road. Franco Mancini, Petitioner. Permanent Parcel No. 08-06-200-046 (*Tabled from the August 2, 2004 PC Meeting*)

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

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Petitioner Present: Frank Mancini

Public Portion: None

MOTION by KOEHS seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve Final Preliminary Plat; Bellagio Subdivision (264 lots); Permanent Parcel No. 08-06-200-046. This motion is based on the Planning Consultants recommendations as follows:

1. The petitioner submit evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulation.
 - a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.
2. The Township Engineer approves all engineering plans for the computed plat.
3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.
5. That all lots within the Final Preliminary Plat meet the requirements of the Township Zoning Ordinances.
6. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.

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7. That all public street drain crossings within the boundaries of the Final Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145(10) of the Macomb Township Code.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the 'landscape easement'; that area labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping" has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the Township and the bond posted for the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.
10. That the final preliminary approval expires two years from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Application for extension must be received by this office prior to the expiration date.
11. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after final preliminary plat approval by the Township Board.
12. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department are to be 4" x 4" black posts with two inch white letters so that the street can be easily identified during the construction of the plat.
13. That the Restrictive Covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The 'Restrictive Covenants' must be approved by the Township Attorney before an application will be received for Final Plat.
14. That the Articles of Incorporation for the Homeowners' Association for the subdivision have been approved by the Township Attorney. The 'Articles of

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Incorporation' must be approved by the Township Attorney before an application will be received for Final Plat.

The subdivision must be developed in accordance with the phasing plan as presented and approved. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.

MOTION carried.

11. Site Plan for Temporary Sales Trailer; The Gateway Village Estates Subdivision; Located on the east side of Hayes Road, ¼ mile north of 24 Mile Road. Sal-Mar Gateway Village Estates, LLC, Petitioner. Permanent Parcel No. 08-07-300-014 (Lot 58 of the proposed Gateway Village Estates Subdivision). *(Tabled from the August 2, 2004 PC Meeting)*

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Thomas Treppa

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to approve the Site Plan for Temporary Sales Trailer; The Gateway Village Estates Subdivision; and forward the request to the Township Board of Trustees to approve the use of the Temporary Sales Trailer; Permanent Parcel No. 08-07-300-014 (Lot 58 of the proposed Gateway Village Estates Subdivision). This motion is pursuant on the Planning Consultants recommendations as follows:

1. The parking area shall be properly graded and drained to the satisfaction of the Township Engineer. The use of gravel material must be approved by the Township Board. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.

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3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, and the use of gravel material in the approach area and other geometrics and designs, are subject to approval by the County Road Commission.
5. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.
6. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be restored to the state as approved in the site plan for the permanent structures and sign within one (1) year in accordance with the plan and elevations. If not restored within one year from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the one year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
7. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).
8. That all signs be designated on the site plan and meet the Township requirements.
9. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain Office.
10. That all requirements of the Zoning Ordinance be met.
11. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
12. That the use of the temporary sales trailer and the temporary sign shall be limited to one year from the date of this approval, after which time to be eliminated, or approval extended by an action of the Planning Commission.

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13. **At the conclusion of the use of the trailer and sign, the site must be restored in accordance with the overall site plan as approved by the Planning Commission.**
14. **That the petitioner file for and receive approval from the Township Board for the use of the trailer.**
15. **That the petitioner submit revised plans shifting the trailer to within 35 feet of the rear property line to provide for the proper maneuvering lanes of 24 feet, and to indicate the location of the entry door so the provision can be made for a safe access to it.**

The use of the Sales Trailer will be considered by the Township Board of Trustees on August 25, 2004.

MOTION carried.

12. Preliminary Plan Review; Breton Woods Condominiums (56 units); Located on the northeast corner of 25 Mile Road and Hayes Road (excluding the immediate corner); Elro Corporation, Petitioner. Permanent Parcel No. 08-06-300-033

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Daniel S. Spatafora of Elro Corporation. Mr. Spatafora mentioned that decorative signage will be added along the frontage access to Hayes Road.

Member THOEL discussed several standard requirements with the proposed development.

Public Portion: Kelly Gonzalez, Township resident, addressed her concerns regarding her property easement, consumer power easement, the proposed development easement.

MOTION by PENZIEN seconded by AUSILIO to forward the recommendation to the Township Board of Trustees to approve the Preliminary Plan Review; Breton Woods Condominiums (56 units); Permanent Parcel No. 08-06-300-033. This motion is based on the Planning Consultants recommendations as follows:

1. **The petitioner shall prepare and submit engineering plans to the Township Engineer for the required approvals from the following agencies in compliance with the State Condominium Act and Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:**

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- a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.
2. The Township Engineer approves all engineering plans for the computed plan.
3. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the preliminary plan approval be met.
5. That all public street drain crossings within the boundaries of the Preliminary Plan shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.
6. That all sites meet the requirements of the Township Zoning Ordinances.
7. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further the MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the unrecorded Master Deed be approved by the Township Attorney and Township Assessor prior to acceptance of the Final Plan Application.
10. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plan. That the petitioner submits

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(2) copies of the plan to the Supervisors office for addressing. Addresses will be assigned after final preliminary plan approval by the Township Board.

- 11. That the landscape areas be identified as a common area in the Master Deed. Further, that a bond in the amount to be determined by the Township Consulting Engineer be posted. The bond shall be posted prior to receiving construction permits from the Water/Sewer Department.**
- 12. That the preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.**
- 13. If a 'phasing plan' has not been submitted it is assumed that this plan will be developed in one phase. Please be advised that any revisions to the phasing plan for this plan must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Preliminary Plan as a Revised Preliminary Plan.**
- 14. That a revised landscape plan shall be submitted that illustrates the reduction for the greenbelt on Hayes Road to provide for the access to Hayes. The revised plans must be submitted prior to the application for Final Plan approval.**

MOTION carried.

- 13. Land Division Variance; Golfview Estates Subdivision (32 lots); Located east of North Avenue approximately ½ mile north of 21 Mile Road. Paul Henderson, Petitioner. Permanent Parcel No. 08-25-301-001**

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Craig Duckwitz of Anderson Eckstein Westrick

Public Portion: None

MOTION by AUSILIO seconded by KRZEMINSKI to forward the recommendation to the Township Board of Trustees to grant the petitioners request to vary the Land Division Variance to allow to eliminate a stub street from Golfview Drive to the property to the north; Golfview Estates Subdivision (32 lots); Permanent Parcel No. 08-25-301-001. This motion is based on the Planning Consultants recommendations as follows:

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To grant the Land Division Variance– to eliminate a stub street from Golfview Drive to the property to the north.

MOTION carried.

14. Tentative Preliminary Plat; Golfview Estates Subdivision (32 lots); Located east of North Avenue approximately ½ mile north of 21 Mile Road. Paul Henderson, Petitioner. Permanent Parcel No. 08-25-301-001

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Craig Duckwitz of Anderson Eckstein Westrick

Public Portion: Several Township residents residing on Rochelle Drive, addressed their concerns regarding flood plains, flooding, water pressure, detention basins, septic tanks, water and sewer locations, drain locations, grade levels, tree removal and the square footage planned for future homes in the proposed subdivision.

The Members of the Board, Township Attorney and petitioner's representative addressed the residents concerns and discussed the required procedures with review involving the Township Engineers, State and County Departments.

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; Golfview Estates Subdivision (32 lots); Permanent Parcel No. 08-25-301-001. This motion is based on the Planning Consultants recommendations as follows:

1. **The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations;**
 - a. **Macomb County Road Commission**
 - b. **Office of Public Works Commission of Macomb County**
 - c. **Macomb County Health Department**
 - d. **Macomb County Planning Commission**
 - e. **Michigan Department of Environmental Quality**
 - f. **All public utility companies affected.**
 - g. **That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.**

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2. **The Township Engineer approves all engineering plans for the computed plat.**
3. **That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**
4. **Further,that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.**
5. **That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.**
6. **Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior the issuance of any building permits.**
7. **That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.**
8. **That a bond in the amount to be determined by the Township Engineer based on estimates submitted by the landscape architect for the proprietor be posted assuring the development of the "landscape easement." The "landscape easement" is that area to be labeled on the platy as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping." The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.**
9. **That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make not of the above date. Please make note of the above date. Any application for extension must be received by this office prior to the expiration date.**

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10. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after the final preliminary plat approval by the Township Board.
11. That the petitioner submits 2 copies of the restrictive covenants that will be recorded with the plat. The Restrictive Covenants must include an article to provide for the perpetual maintenance of all limited common areas that may include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.
12. That the “20’ common area for landscaping purposes” be developed in accordance with the provisions of the Land Division Act of Macomb Township. A plan for the area must be prepared, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost list to be prepared by the registered landscape architect who prepared the plan.
13. That the sheds be removed from lot 15.

If a ‘phasing plan’ has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.

MOTION carried.

15. Motion to receive and file all correspondence in connection with this agenda.

MOTION by PENZIEN seconded by KOEHS to receive and file all correspondence in connection with this agenda.

MOTION carried.

PLANNING CONSULTANTS COMMENTS: None

PLANNING COMMISSION COMMENTS:

Member THOEL suggested that the Township Engineer be notified regarding the flooding issues with the proposed Golfview Estates Subdivision and adjacent residential areas. Clerk KOEHS stated the Township Engineer will be notified of the discussions.

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ADJOURNMENT:

MOTION by KOEHS seconded by AUSILIO to adjourn the meeting at 9:15 p.m.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb